

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MEENA TEJWANI,

Plaintiff,

v.

AMERADA HESS CORPORATION,

Defendant.

Civil Action: 1:05-CV-10699 (NMG)

JOINT STATEMENT AND SCHEDULING
ORDER PURSUANT TO FED. R. CIV. P. 26(f) AND LOCAL RULE 16.1

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1, representatives of Plaintiff Meena Tejwani and Defendant Amerada Hess Corporation conferred via telephone on July 6, 2005.

These meetings were attended by:

For Plaintiff: Judith A. Miller
Attardo and Miller LLP
220 Boylston Street, Suite 101
Chestnut Hill, MA 02467
(617) 969-2900

For Defendant: Eben A. Krim
Proskauer Rose LLP
One International Place
22nd Floor
Boston, MA 02110
(617) 526-9624

The parties hereby submit the following Joint Statement in connection with the Scheduling Conference to be held on July 19, 2005.

1. Matters to be Discussed at Conference. The parties will appear prepared to discuss the following issues:

- a A proposed pretrial schedule for the case that includes the plan for discovery and deadlines;
- b Anticipated dispositive and pretrial motions;
- c Alternative Dispute Resolution; and
- d Settlement.

2. Schedule for Discovery.

Set forth below by the parties is their jointly proposed schedule for discovery, the filing of dispositive motions, and trial.

<u>EVENT</u>	<u>DATE</u>
Amendments to pleadings	July 25, 2005
Automatic Disclosures	Pursuant to Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2 must be served by August 2, 2005.
Close of discovery including depositions and written discovery (with discovery responses to be served sufficiently in advance of deadline to be responded to by deadline).	April 19, 2006
Dispositive motions	May 19, 2006
Settlement conference	As determined by the Court
Final pretrial conference	As determined by the Court
Trial	As determined by the Court

3. Discovery Limits. The parties have agreed to jointly propose that discovery be conducted pursuant to the limits set forth in Local Rule 26.1(C). Each party shall reserve its right to seek by motion additional discovery, with good cause shown.

4. Settlement. Pursuant to Local Rule 16.1(C), Plaintiff tendered its written settlement proposal to Defendant on July 6, 2005. Defendant will be prepared to respond to this settlement proposal on or before July 19, 2005.

5. Trial by Magistrate Judge. The parties are not prepared to consent to trial by a Magistrate Judge.

6. Budget and Alternative Dispute Resolution. Counsel for all parties have conferred with their respective clients concerning establishing a budget for litigation and the use of Alternative Dispute Resolution (“ADR”). At this juncture, the parties are not interested in ADR. The parties agree to consider mediation or arbitration on an ongoing basis as an option for the resolution of this matter. Both parties are awaiting return of their signed certifications required pursuant to Local Rule 16.1(D)(3), and will file those certifications separately.

7. Modification of Schedule. All dates set forth herein may be modified by written agreement of the parties and approval of the Court, or upon motion to the Court for good cause shown.

8. Service on Opposing Counsel. Service of any pleadings, notices, motions, memoranda, or other papers shall be effected: (1) by hand; (2) by overnight courier; or (3) by fax or regular mail.

Dated: Boston, Massachusetts
July 13, 2005

<p>Respectfully submitted,</p> <p>Meena Tejwani</p> <p>By her attorney,</p> <p>/s/Judith A. Miller</p> <hr/> <p>Judith A. Miller Attardo and Miller LLP 220 Boylston Street, Suite 101 Chestnut Hill, MA 02467 (617) 969-2900</p>	<p>Respectfully submitted,</p> <p>Amerada Hess Corporation</p> <p>By its attorneys,</p> <p>/s/Mark W. Batten</p> <hr/> <p>Mark W. Batten Eben A. Krim Proskauer Rose LLP One International Place 22nd Floor Boston, MA 02110 (617) 526-9850</p>
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